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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,213	11/07/2005	John V. Howard	0837RF-oH510-US	4530
38441	7590	01/05/2009		
LAW OFFICES OF JAMES E. WALTON, PLLC 1169 N. BURLESON BLVD. SUITE 107-328 BURLESON, TX 76028			EXAMINER	
			DINH, TIEN QUANG	
			ART UNIT	PAPER NUMBER
			3644	
			MAIL DATE	DELIVERY MODE
			01/05/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,213	<b>Applicant(s)</b> HOWARD ET AL.
	<b>Examiner</b> Tien Dinh	<b>Art Unit</b> 3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

#### Status

- 1) Responsive to communication(s) filed on 10 October 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 12 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 12, 14-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/US/02)          | 6) <input type="checkbox"/> Other: _____  |
| Paper No(s)/Mail Date: _____   |   |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 16-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is not understood what is meant by "only the forward mount reacts torque". How can only the forward mount reacts [to] torque? What torque is this? Where is there support for this on the specification? Furthermore, how could the forward mount eliminate torsional redundancy from the engine mount such that torque from the rotor is prevented from being induced into the engine by the aft mount? From figures 16a and 16b and the description in the specification, it is only the bipod arrangement that the torsional redundancy elimination can occur. Please explain.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12, 14-15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12, line 16, “the contribution from the engine to the dynamic response of the engine” lacks antecedent basis. Plus, “the selected physical characteristics of the flexure region” lacks antecedent basis.

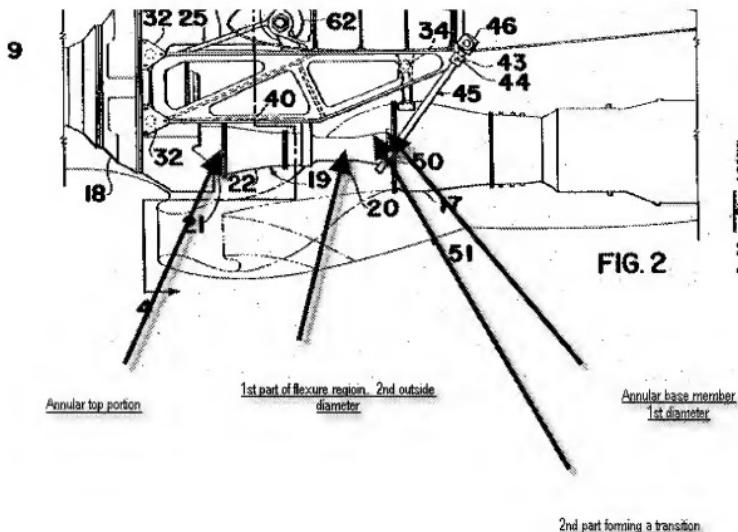
***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonneborn et al in view of Danic 3439888, Powell 6095456, and Demouzon et al 5871177.

Sonneborn et al teaches forward mount (which is 203) and aft mount 205 (having a bipod support). Sonneborn et al is silent on the forward mount having the base portion, top portion, and flexure region as claimed. However, Danic teaches a forward mount having a base portion, top portion, and flexure region that has a first part with a second diameter and a second part forming a transition between the second diameter and the first diameter. Please note that the transition occurs from the second diameter to the first diameter due to the different size diameters. This creates a slope. The claimed parts are shown below.



It would have been obvious to one skilled in the art at the time the invention was made to have used a forward mount having annular base portion with a first diameter and an annular top portion and a flexure region between the base portion and the top portion in Sonneborn et al's system as taught by Danic as a substitution of parts.

Please note that the last part of the claim 12 is met by the flexure region as taught by Danic. The forward mount (as taught by Danic) is configured such that contribution from the engine to the dynamic response of the engine mounting system is determined by the selected

physical characteristic of the flexure region. This is an obvious design choice. This is a way to optimize the transmission of power from the engine and have a safer system overall.

Re claim 14, the forward mount defines a housing since it is hollow.

Re claim 15, the flexure annular region has a wall thickness of the annular forward mount since it is part of the forward mount.

Re claim 16, the bipod legs (aft mount) of Sonneborn et al and the forward mount as taught by Danic eliminates torsional redundancy such that torque from the rotor is prevented from being induced into the engine by the aft mount.

Re claim 17, the legs 213b and 213a form a bipod in a plane that is transverse to the longitudinal axis of the engine.

Re claim 19, the rigid links 213a and 213b are mounted to pylon at two points and attached to the engine at one point (which is where the engine mounting bracket 211 is located). They form a bipod assembly. These links form a focal point located near (near is a broad term also) the longitudinal axis of the engine since links 213a and 213b are “pointed” toward the longitudinal axis 218 (point C) as shown in figure 3 of Sonneborn et al.

The examiner also has introduced Powell 6095456 to show that bipod legs 205, 210 are well known. This is to further prove that bipod legs to support engines are well known to one skilled in the art as an efficient way to mount engines.

Re claim 18, the applicant has challenged the examiner's official notice that pylon mounting brackets are well known. The examiner introduces Demouzon et al to show that pylon mounting brackets are well known. See figure 1. It would have been obvious to have used pylon

mounting brackets in Sonneborn et al system for easily attachment and de-attachment of the engine.

*Response to Arguments*

Applicant's arguments with respect to claims 12, 14, 15, 16, 17, 18, and 19 have been considered but are moot in view of the new ground(s) of rejection. Furthermore, the examiner would like to point out to the applicant that a bipod is two-legged. Figure 3 of the admitted prior art shows a bipod as claimed. The bipod was also addressed above in the rejections.

*Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 3644

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tien Dinh whose telephone number is 571-272-6899. The examiner can normally be reached on 12-8.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mansen can be reached on 571-272-6608. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tien Dinh/  
Primary Examiner, Art Unit 3644